

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

Public Services – Treasuries and Accounts Department – Karimnagar District – Irregular sanction and drawls of Medical Advance/Reimbursement of claims by Sri V.Babu Rao, the then District Treasury officer, Karimnagar District at present Accounts Officer (Retd.) – Imposition of a punishment of withholding of 2% pension for a period of one year under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

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### FINANCE (ADMN.I.VIG.) DEPARTMENT

**G.O.Rt.No. 3012**

**Dated: 28-06-2010**

**Read the following:-**

1. DTA Charge Memo.No.K4/908/2003-(10, dated 11-06-2003.
2. G.O.Rt.No.875, Finance (Admn.I) Department, dated 13-03-2006.
3. APAT orders in O.A.No.1923 of 2006 with VMA No.1250/2006 filed by Sri V.Babu Rao, Accounts Officer (Retd), dated 02-11-2009.
4. Govt.Memo.No.10096/61/A2/Admn.I.Vig/2006, dated 10-02-2010.
5. Explanation of Sri V.Babu Rao, A.O (Retd), dated 10-03-2010.
6. Govt.Memo.No.10096/61/A2/Admn.I.Vig/2006, dated 22-03-2010.
7. DTA Lr.No.K (II) 6/7617/2006, dated 12-04-2010 along with proforma particulars of Sri V.Babu Rao, A.O. (Retd.).
8. Govt. Lr.No.10096/61/A2/Admn.I.Vig/2006, dt.17-04-2010 addressed to APPSC.
9. Secretary APPSC Lr.No.647/RT-I/1/2010,dt:29-05-2010.

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### ORDER:

The Government have delegated the powers to the Heads of Departments concerned for sanction of medical advances to Government employees and their dependents in G.O.Ms.No.86, Finance Department, dated 01-06-1992. Sri V.Babu Rao, the then District Treasury Officer, Karimnagar has sanctioned the medical advance of Rs.75,000/- to Sri Syed Ameena Ahmed, Senior Accountant, District Treasury, Karimnagar vide his progs.No.A1/2979/2001, dt.02-07-2001 instead of the Head of the Department i.e. the Director of Treasuries and Accounts, A.P., Hyderabad. The Government in Memo.No.1815/K1/2001-1 dt: 24-03-2001 have also clarified that for the treatment in Government Hospitals obtained by the Government employees both serving/retired and their dependents, the bills should be scrutinized and countersigned by the Superintendent of concerned hospital, if he is equal rank of Addl. Director rank, such bills need not be sent again to the Director of Medical Education for scrutiny. The District Treasury Officer, Karimnagar has irregularly sanctioned the reimbursement of expenditure amounting to Rs.5,410/- vide his progs.No.A1/2786/2001 dt:21-08-2001 deviating the above said G.Os/clarifications.

2. The Government in G.O.Ms.No.445, HM & FW (E2) Department, 19-07-1991 have issued orders for reimbursement of medical expenses for certain ailments vig:-

- a) Acute myocardial infraction
- b) Acute renal failure
- c) Severe cases of head and spinal injury
- d) Cases of coma

But whereas Sri V.Babu Rao, the then District Treasury Officer, Karimnagar has sanctioned an amount of Rs.17,662/- including O.P. treatment charges of Rs.714/- to Sri G.Rangaswamy, Sub-Treasury Officer, District Treasury, Karimnagar irregularly for the treatment of his wife for the disease viz: “Hysterectomy” which is not mentioned in the above said G.O. vide his progs.No.K3/6343/2000 dt:5-3-01 for which the Government alone is competent.

3. In the reference 1<sup>st</sup> read above, the Director of Treasuries and Accounts has framed the following Article of Charge against Sri V.Babu Rao, the then, DTO, Karimnagar and now retired as Accounts Officer, O/o. the Director of School Education, AP, Hyderabad vide his Charge Memo.No.K4/908/2003-(1), dt. 11-06-2003.

**Charge-I:**

*While functioning as Sr.Accountant/Sub Treasury Officer/ATO/DTO at O/o District Treasury, Karimnagar has processed/passed the medical advance bill of Rs.75,000 in respect of Sri Syed Ameena Ahmed, Sr.Accountant, District Treasury, Karimnagar even though the bills is not having the sanction orders of the Head of the Department i.e. the Director of Treasuries and Accounts, A.P., Hyderabad as required in G.O.Ms.No.86, Finance Department, dated 01-06-1992 irregularly.*

**Charge-II:**

*While functioning as Sr.Accountant/Sub Treasury Officer/ATO/DTO at O/o District Treasury, Karimnagar has processed/passed the medical reimbursement bill of Sri Syed Ameen Ahmed, Sr.Accountant for Rs.5410/- for the treatment in an unregistered private hospital even though the District Treasury Officer is not competent to sanction the Medical Reimbursement claim based on the report of Superintendent Hqrs. Hospital, Karimnagar as per G.O.Ms.No.38, HM & FW (K1) Dept., dt:23-01-96 and G.O.Ms.No.373, H.M. & FW (K1) Dept., dt:20-10-2000 irregularly thereby he paved way for fraudulent drawals causing financial loss to the Government.*

**Charge-III:**

*While functioning as Sr.Accountant/Sub Treasury Officer/ATO/DTO at O/o District Treasury, Karimnagar has processed/passed the Medical reimbursement claim of Sri G.Rangaswamy, Sub-Treasury Officer, District Treasury, Karimnagar for Rs.17,662/- even though the District Treasury Officer, Karimnagar is not competent to sanction the Medical Reimbursement claim for the diseases not listed in G.O.Ms.No.445, HM & FW (E2) Department, dt:19-07-1991 irregularly.*

4. Government, after following due procedure have imposed a punishment of reversion to lower rank permanently i.e. DTO to ATO vide G.O.Rt.No.875, dt. 13-3-2006 against Sri V.Babu Rao, Accounts Officer for the charges proved against him. Aggrieved with the said orders Sri V.Babu Rao, Accounts Officer has filed O.A. No.1923 of 2006. The Hon'ble APAT, while admitting the O.A. issued interim orders to maintain status-quo on 31-3-2006. Hence, the punishment has not been implemented against the Charged Officer, Sri V.Babu Rao, Accounts Officer. In the meanwhile, he has retired from service on attaining the age of Superannuation on 31-12-2007. The Hon'ble Tribunal in its final orders dated 2-11-2009 set aside the punishment imposed on him and remanded the matter to the Government for passing appropriate orders under the Rules. Since, the Charged Officer has retired from service further action has been taken as per the procedure laid down under Rule 9 of A.P. Revised Pension Rules, 1980.

5. Government after careful consideration of matter with reference to the material on record and orders APAT provisionally decided to impose a punishment of withholding a 5% of Pension for one year on Sri V.Babu Rao, Accounts Officer (Retd.) and issued a final show cause notice to him vide reference 4<sup>th</sup> read above.

6. Sri V.Babu Rao, Accounts Officer (Retd.), in his explanation, at reference 5<sup>th</sup> read above, the Enquiry Officer came to the conclusion that there is a procedure lapse on his part and that the claim is genuine as it contained estimates issued by NIMS and the ineligible amount was recovered from the individuals and remitted back to Govt. Treasury. He was misguided by the note submitted by STO and Sr. Accountant for sanction of Medical advance in view of the provision contained in Rule 20 of A.P. Integrated Medical Attendance Rules 1972 and the Staff did not quote the G.O.Ms.No.86

Fin.dated:01.06.92 and thus the staff misled him. The Enquiry Officer mentioned the same in his report. Government have taken lenient view against his subordinates who were basically responsible for recommending admission of claim concealing the rules on the subject and imposed a punishment of stoppage of one increment without cumulative effect. As his case relates to procedural lapses and there was no malafide intention to pass the bills in question and due to pending of these charges he was denied for promotion to the post of Asst. Secretary and Deputy Secretary, he has requested to drop all further action and release his pensionary benefits.

7. Government keeping in view of the APAT orders and material on record and penalties imposed against his subordinates who were involved in the process of the files and passing of the bills medical advances and claims provisionally decided to impose a punishment of with holding 5% pension for a period of one year which is an equivalent punishment to that of stoppage of one increment without cumulative effect imposed on his counterparts and referred the matter to the Andhra Pradesh Public Service Commission, Hyderabad for their concurrence vide reference 8<sup>th</sup> read above.

8. The Secretary, A.P. Public Service Commission, Hyderabad in his letter 9<sup>th</sup> read above, has informed that after careful examination of the disciplinary case in the light of the records made available, the Commission observed that there was neither any financial loss to Government nor did any tampering of records take place. It is purely procedural lapse. The Subordinate staff initiated the file should be held responsible for the misleading note submitted by them. Hence, Commission advice to impose punishment of 2% cut in pension for one year on the Charged Officer Sri V.Babu Rao, Accounts Officer (Retd.).

9. Government after careful consideration of the matter decided to accept the advice of the A.P.Public Service Commission. Accordingly, hereby order for imposition of a punishment of withholding of 2% of pension for a period of one year on the Charged Officer, Sri V.Babu Rao, Accounts Officer (Retd.) under Rule 9 of A.P. Revised Pension Rules, 1980.

10. The Director of Treasuries and Accounts, Hyderabad shall take necessary further action in the matter accordingly.

11. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**L.V.SUBRAHMANYAM  
PRL.SECRETARY TO GOVERNMENT (FP)**

To

The individual through Director of Treasuries and Accounts, AP, Hyderabad.

The Director of Treasuries and Accounts, AP, Hyderabad.

Copy to:

The Secretary, A.P. Public Service Commission, AP., Hyderabad.

The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.

SF/SC.

**:: FORWARDED BY ORDER::**

**SECTION OFFICER**